

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
June 18, 2002  
7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:01p.m., Tuesday, June 18, 2002, in the Board Room, York Hall, by Chairman Donald E. Wiggins.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Mr. William C. Parker, Public Information Officer, gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Wiggins led the Pledge of Allegiance.

**HIGHWAY MATTERS**

Mr. John Mazur, Assistant Resident Engineer, Virginia Department of Transportation, (VDOT), appeared to discuss highway matters of interest to the Board of Supervisors. He reported that the project on Route 17 would be completed once a few minor corrections were made.

Mr. Shepperd thanked VDOT for its visit and inspection of the Mill Crossing area in connection with drainage problems in that area. He asked that repairs be made to a large hole on Heavens Way.

Mrs. Noll reminded Mr. Mazur of her previous request for white reflectors at the Route 171/Route 17 intersection.

Mr. Mazur explained VDOT's regulations required that reflectors be the standard yellow color.

Mrs. Noll then asked that reflectors of any color be installed.

Mr. Burgett spoke of the upcoming project on Lakeside Drive and the public hearing necessary for the project. He asked to be notified of the date.

Mr. Mazur stated the hearing would not be held before August, and it would be published in the newspaper before that time.

Mr. Zaremba mentioned the Transportation referendum to be voted on in November, and stated he felt as much information as possible needed to be put out to the citizens of the County.

Chairman Wiggins discussed the origin of Wildy Road and the difficulty of living on such a narrow road. He asked for VDOT's help with the drainage, widening, and paving of the road.

Mr. Mazur stated he would have the area reviewed for possible improvements.

## **PRESENTATIONS**

### **YORK COUNTY BOARDS AND COMMISSIONS**

Mr. Art Collins, Executive Director of the Hampton Roads Planning District Commission, appeared to make a presentation on regional transportation issues. He elaborated on some of the components of regional transportation such as a third crossing between the Peninsula and Southside, and how that crossing would benefit the area. He explained that the federal government would not be funding the project, which would allow them to design the project independently. He cited examples of why regional transportation was necessary, such as the evacuation routes due to hurricanes, terrorists, or other disasters. He stated Interstate 64 is not capable of handling the magnitude of people that would need to evacuate the area, and that Route 460 is in the package to provide an escape route out of Hampton Roads.

### **YORK COUNTY BOARDS AND COMMISSIONS**

Chairman Wiggins introduced and welcomed Jane B. Dickson as the newest member appointed to the Peninsula Disability Services Board. He then presented her with a Boards and Commissions Handbook and a York County pin.

### **COMMENDATION OF CLYDE JACKSON**

Chairman Wiggins read and presented a Proclamation to Mrs. Clyde Jackson for her outstanding commitment to the York County Senior Center. On behalf of the Board, Chairman Wiggins expressed gratitude for Ms. Jackson's continued support to the Senior Center.

## **CITIZENS COMMENT PERIOD**

Ms. Addie J. Carter, 819 Baptist Road, appeared before the Board to discuss the ditches in her neighborhood being removed as a result of new development. She presented photographs of the subject area and then asked the Board to have someone inspect the area. In another matter, she asked for help with her personal issues concerning the Department of Social Services.

Ms. Jill Farrell, 403 Brokenbridge Road, represented the Edgehill community concerning a drainage ditch to be built within the 50-foot wooded buffer between Clairmont Apartments and the Edgehill subdivision. She stated she was also concerned about the County's request to remove 15 feet of trees within the buffer to add a concrete drainage ditch. She questioned why this development occurred within the 50-foot buffer that the County assured the residents would remain intact.

## **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett discussed a Supreme Court decision regarding Watch Tower Bible and the Tract Society of New York versus the Village of Stratton. The ordinance required a permit to engage in door-to-door advocacy for any political or religious cause. He stated the County does not have such an ordinance, but perhaps in the future the County could impose a license on someone conducting door-to-door sales.

### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board of its Work Session on June 25 to review the proposed changes to the Zoning Ordinance, and of its next regular meeting on July 16. He announced that two of the County's employees would be leaving at the end of the month, and he thanked Mr. Bill Parker, Public Information Officer, and Mr. Dick McNutt, Real Estate Assessor, for their services to the County. He also thanked the Board for the employee picnic held on June 12.

### **MATTERS PRESENTED BY THE BOARD**

Mr. Shepperd reported on a meeting with John Hudgins, Director of Environmental and Development Services, and also with Brian Woodward in the Utilities Division, and stated the employees in Utilities made it an excellent department. He felt that the County government was very responsive to the 56,000 citizens who live in the County. He noted the drainage problems within the County and encouraged the citizens to stop putting their grass clippings in the drainage ditches. He mentioned the graffiti in the County and stated he felt strongly in prosecuting those individuals causing the graffiti. He then discussed the speeding traffic on the highways and mentioned that the citizens could report information on speeders to the Sheriff so that they could send a warning letter to that person's home.

Meeting Recessed: At 7:59 p.m. Chairman Wiggins declared a short recess.

Meeting Convened: At 8:06 p.m. the meeting was reconvened in open session by order of the Chair.

### **PUBLIC HEARINGS**

#### **CONVEYANCE OF DRAINAGE EASEMENT**

Mr. Barnett made a presentation on proposed Resolution R02-123 to authorize the County Administrator to execute a deed conveying to the Virginia Department of Transportation a drainage easement across property owned by York County on Ft. Eustis Boulevard.

Chairman Wiggins called to order a public hearing on proposed Resolution R02-123 which was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A DEED CONVEYING TO THE VIRGINIA DEPART-  
MENT OF TRANSPORTATION A DRAINAGE EASEMENT ACROSS  
PROPERTY OWNED BY YORK COUNTY ON FT. EUSTIS BOULE-  
VARD, IDENTIFIED AS COUNTY TAX MAP PARCEL NO. 024-48-C

There being no one present who wished to speak concerning the subject Resolution, Chairman Wiggins closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R02-123 which reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A DEED CONVEYING TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION A DRAINAGE EASEMENT ACROSS PROPERTY OWNED BY YORK COUNTY ON FT. EUSTIS BOULEVARD, IDENTIFIED AS COUNTY TAX MAP PARCEL NO. 024-48-C

WHEREAS, the Virginia Department of Transportation (VDOT) has offered York County the sum of \$1,015.00 for a drainage easement across property owned by the County and located on Ft. Eustis Boulevard, being York County Tax Map Parcel No. 024-48-C, and currently the site of a sewage pumping station, in connection with the proposed improvement of Ft. Eustis Boulevard; and

WHEREAS, following a duly advertised public hearing, the Board has determined that the public interest would be served by granting such easement.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of June, 2002, that the County Administrator is hereby authorized to execute an easement deed, approved as to form by the County Attorney, conveying to the Virginia Department of Transportation in consideration of the sum of \$1,015.00, a drainage easement across property owned by the County and located on Ft. Eustis Boulevard, such easement to be as depicted on attachments to the County Attorney's memorandum to the Board of May 30, 2002.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Burgett, Shepperd, Wiggins,  
Nay: (0)

#### **MATTERS PRESENTED BY THE BOARD** (Continued)

Mr. Burgett discussed mosquito control and a recent newspaper editorial that indicated that the Board was preventing the County from using larvacide for mosquito control, and he explained that it was the state that was preventing the County from using the larvacide. He noted he had attended the Peninsula Chamber of Commerce Small Business Awards Luncheon where York County businesswoman Kimberly O'Neal, of Atlantico, was named the small businessperson of the year. He mentioned a newspaper article in the Williamsburg Gazette relating to a golf course that was going to be constructed on the Fuel Farm. He stated the golf course would be a first-class PGA style course, and would be affordable for York County citizens.

Mrs. Noll elaborated on the transportation needs of the area and the referendum that will be on the November ballot. She then read the referendum question to the citizens and provided the website where the citizens may obtain more information. She congratulated Mary Ann Kirish, Louise Stokes, Mary McCabe, and the other employees who raised over \$10,000 for Relay for Life. She reported that Clem Morrissey, an employee in Environmental and Devel-

opment Services, designed the olympic-styled torch for Relay for Life. She commended these employees for their charitable work outside of the County.

Mr. Zaremba mentioned Bill Parker's retirement as Public Information Officer and elaborated on his background and employment in that capacity. He then discussed newspaper articles from the Daily Press and the Virginia Gazette on the subject of vehicle decals, noting the County is also considering discontinuing use of the decals. He encouraged citizens to become involved and stay informed on the transportation issue so they will make an educated vote in November.

Chairman Wiggins spoke of the citizens who aren't aware of local government and their letters to the editor. He encouraged all citizens to learn the facts of the County government. He mentioned a recent letter to the editor entitled "Don't Become York City," which implied that the Board allowed development without any regard to the landscape that was being destroyed. He explained that new development occurred on land owned by citizens and not property owned by the County. He discussed the Comprehensive Plan and stated that development in the County is in accordance with the Plan, which allows the County to adhere to a lower tax rate.

## **CONSENT CALENDAR**

Mr. Zaremba asked that Item Nos. 4 and 5 be removed from the Consent Calendar.

Mrs. Noll then moved that the Consent Calendar be approved as amended, Item Nos. 2, 3 and 6, respectively.

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

### **Item No. 2. APPROVAL OF MINUTES**

The minutes of the following meeting of the York County Board of Supervisors were approved:

May 21, 2002, Regular Meeting

### **Item No. 3. STREET ACCEPTANCE: Resolution R02-125.**

A RESOLUTION TO INCLUDE AN ADDITIONAL PLAT REFERENCE FOR THE SECTION OF FORTUNE PLACE BETWEEN STATE ROUTE 1591 AND STATE ROUTE 1635 AND TO AND REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE THIS ROAD SECTION ALONG WITH THE OTHER STREETS IN PROSPECT PARK INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, on May 21, 2002, the York County Board of Supervisors adopted Resolution R02-103 requesting the Virginia Department of Transportation to include certain streets in Prospect Park, including Fortune Place, into the Secondary System of State Highways; and

WHEREAS, there is an additional plat reference for Fortune Place which was not shown on the state Form SR-5; and

WHEREAS, in order to be included in the state secondary system of highways, it is necessary that all plats be shown on the Form SR-5; and

WHEREAS, this section of street, which is shown on a plat recorded in the Clerk's Office of the Circuit Court of York County, has been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form SR-5A, plus the necessary easements for cuts, fills, and drainage for this street;

NOW THEREFORE BE IT RESOLVED by the York County Board of Supervisors this the 18<sup>th</sup> day of June, 2002, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the street described on the following Form SR-5A as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Prospect Park and to the Resident Engineer of the Virginia Department of Transportation.

#### **In the County of York**

By resolution of the governing body adopted June 18, 2002,

***The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.***

#### **Report of Changes in the Secondary System of State Highways**

Form SR-5A

Secondary Roads Division 5/1/99

#### **Project/Subdivision**

#### **Prospect Park**

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change:

Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

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**Route Number and/or Street Name**

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**Fortune Place, State Route Number 1634**

*Description:* **From:** Route 1591 (Hilburne Lane)

**To:** Route 1635 (Quest Court)

A distance of: 0.10 miles.

*Right of Way Record:* Filed with the Clerk of the Circuit Court on 12/3/84, Plat Book 10, Page 60, and on 10/25/2000, Plat Book 13, Page 191, with a width of 50 ft.

Item No. 6. REFUND OF TAXES: Resolution R02-126.

A RESOLUTION TO AUTHORIZE A TAX REFUND TO GEORGE NICE & SONS, INC.

WHEREAS, York County Code § 21-7.3 requires approval from the Board of Supervisors for the payment of any refund of taxes, penalties and interest in excess of \$2,500.00; and

WHEREAS, George Nice & Sons, Inc., has made a proper request for a tax refund for taxes erroneously paid; and

WHEREAS, the Commissioner of the Revenue, the Treasurer, and the County Attorney have recommended that the tax refund, with interest, be granted.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18th day of June, 2002, that the Commissioner of the Revenue is authorized to refund to George Nice & Sons, Inc., business personal property taxes for the tax year 2001, in the amount of \$6,980.20, plus accrued interest in the amount of \$581.45, for a total refund of \$7,561.65.

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins

Nay: (0)

Item No. 4. PUBLIC SEWER EXTENSION AGREEMENT: WILSON FAMILY SUBDIVISION: Resolution R02-116 (Removed from the Consent Calendar)

Mr. Zaremba compared the agenda material for Item Nos. 4 and 5 and stated he felt like the material presented was very different for the two comparable items. He asked for more consistency in the Board's material.

Mr. John Hudgins, Director of Environmental and Development Services, stated the Wilson family subdivision involves one lot and one connection, and the Magruder Five subdivision

involves five connections. The \$9,000 fee is the system facility charge, minus the local facility charge that the developer pays. He explained the difference occurs when the developer puts the system in versus an individual.

Mr. Zaremba asked Mr. Hudgins to please have the facts standardized in the future for the Board's understanding. He then moved the adoption of proposed Resolution R02-116 that reads:

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE COUNTY'S VACUUM SEWER COLLECTION SYSTEM TO A PROPOSED SUBDIVISION OF PROPERTY ON CALTHROP NECK ROAD, AND AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY PUBLIC SEWER EXTENSION AGREEMENT

WHEREAS, Roy P. Wilson and Lillie W. Wilson have requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve two new residential lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the vacuum sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, the total connection fee to be paid to the County for the proposed extension to serve this development shall be calculated in accordance with the terms of Chapter 18.1 of the York County Code;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of June, 2002, that the Board approves the extension of the County's vacuum sewer system to serve the proposed development, Wilson Family Development, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Roy P. Wilson and Lillie W. Wilson for the proposed extension; such agreement to be approved as to form by the County Attorney.

On roll call the vote was:

Yea: (5) Burgett, Shepperd, Zaremba, Noll, Wiggins  
Nay: (0)

Item No. 5. PUBLIC SEWER EXTENSION AGREEMENT: MAGRUDER FIVE: Resolution R02-117  
(Removed from the Consent Calendar)

Mr. Zaremba then moved the adoption of proposed Resolution R02-117 that reads:



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A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE  
COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DEVELOPMENT  
KNOWN AS MAGRUDER FIVE SUBDIVISION, AND  
AUTHORIZING EXECUTION OF THE NECESSARY PUBLIC SEWER  
EXTENSION AGREEMENT

WHEREAS, Joseph S. Terrell has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve five new residential lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$9,375.00;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of June, 2002, that the Board approves the extension of the County's public sewer system to serve the proposed development, Magruder Five Subdivision, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Joseph S. Terrell for the proposed extension; such agreement to be approved as to form by the County Attorney.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Burgett, Wiggins  
Nay: (0)

**NEW BUSINESS**

**REVENUE STABILIZATION RESERVE FUND LOAN**

Mr. McReynolds briefed the Board on proposed Resolution R02-127 to transfer \$985,000 to the School Board from the Revenue Stabilization Reserve Fund and to appropriate \$1,500,000 for Phase II of the Bethel Manor Elementary addition/renovation project.

Mrs. Noll asked if something in writing would be received from the School Board stipulating that they would repay the loan, annually, from the fund.

Mr. McReynolds stated the material provided was the only documentation he had.

Mr. Shepperd questioned if the School Board was trying to over-sell the requirement. He noted the \$52,000 in trailer savings was straightforward, and the \$30,000 in mobilization was straightforward, but he questioned the \$100,000 contingency fund.

Mr. McReynolds explained that the school was initially a radio station that was outfitted as a school in the 1960's and 1970's. The building was old and some of the conditions are unknown. He explained if the contractor had to go in twice, they felt a larger cushion would be needed for unforeseen circumstances. He offered to ask for a better clarification from Dr. Staples on the matter.

Mr. Zaremba asked for an explanation of federal impact funds that are received on an annual basis.

Mr. McReynolds explained the Federal Impact Aid Funds, noting that in some years the County has received more impact aid funding than was budgeted. In those years, he stated those funds have been spent to support the school division and the education of the County's school population, which has freed up local dollars to be put into the Revenue Stabilization Fund. He stated if the County has a shortfall in impact aid, it will be absorbed in the short run and allow for the planning of a lower level of impact aid in the long run.

Discussion ensued on the Revenue Stabilization Fund.

Mr. Zaremba asked how the County could be sure the loan would be paid back over the next two years.

Mr. McReynolds assured the Board that the staff in Budget & Financial Reporting would make sure that any resolution connected with money would be taken care of until the obligation was fulfilled.

Mr. Burgett asked if this money belonged to the School Division. He stated it was excess set aside for impact aid, but it was not restricted to impact aid. He explained the memo stated it could be used for other projects, and he felt the School Division would make every attempt to pay the money back since they were good stewards of the County's money.

Chairman Wiggins felt this was somewhat like money in the bank. He stated it was the taxpayers' money; and anytime the Board could save the taxpayers' money, it certainly should do that.

Mrs. Noll then moved the adoption of proposed Resolution R02-127 that reads:

A RESOLUTION TO TRANSFER \$985,000 TO THE SCHOOL BOARD FROM THE REVENUE STABILIZATION RESERVE FUND AND TO APPROPRIATE \$1,500,000 FOR PHASE II OF THE BETHEL MANOR ELEMENTARY ADDITION/RENOVATION PROJECT

WHEREAS, the Capital Improvements Program (CIP) for FY2002-2007 included the Bethel Manor Elementary Addition/Renovation project totaling \$3,000,000: \$1,500,000 in FY2002 and \$1,500,000 FY2004 and funding for Phase I, FY2002, was obtained from several sources: \$758,000 of interest revenue from the Revenue Stabilization Reserve Fund, \$500,000 from the Department of Defense, and \$242,000 from the School Capital Fund; and

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WHEREAS, the School Board has been working to obtain additional federal funding for Phase II of the project which is estimated at \$1,500,000; and

WHEREAS, the School Board has determined that awarding a contract for Phase II of the Bethel Manor Elementary Addition/Renovation project within 60 days of the bid opening for Phase I of the project could generate overall project cost savings of approximately \$182,000; and would also minimize the impact on students and staff since the project would be completed as one construction project over a shorter period of time; and

WHEREAS, approximately \$515,000 is currently available in the School Construction Fund; and

WHEREAS, the School Board has requested a transfer for the remaining \$985,000 (\$1,500,000 - \$515,000) from the Revenue Stabilization Reserve Fund; and

WHEREAS, the School Board has indicated its intent to reimburse the Revenue Stabilization Reserve Fund with the anticipated FY2003, and FY2004 Department of Defense payments;

NOW THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of June, 2002, that \$985,000 be, and hereby is, appropriated in the Revenue Stabilization Reserve Fund for transfer to the School Construction Fund.

BE IT FURTHER RESOLVED that \$1,500,000 be, and hereby is, appropriated in the School Construction Fund for Phase II of the Bethel Manor Elementary Addition/Renovation project, subject to an agreement by the School Board to reimburse such amount to the Revenue Stabilization Reserve Fund upon receipt of future DOD payments in fiscal years 2003 and 2003, and in subsequent fiscal years, if necessary.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Burgett, Shepperd, Wiggins  
Nay: (0)

**CLOSED MEETING.** At 8:59 p.m. Mr. Zaremba moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions; Section 2.1-3711(a)(3) pertaining to the disposition of County property.

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins  
Nay: (0)

Meeting Reconvened. At 9:30 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM  
OF INFORMATION ACT REGARDING MEETING IN CLOSED  
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18th day of June, 2002, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Burgett, Shepperd, Zaremba, Noll, Wiggins  
Nay: (0)

APPOINTMENT TO THE MIDDLE PENINSULA JUVENILE DETENTION CENTER

Mrs. Noll moved the adoption of proposed Resolution R02-128 which reads:

A RESOLUTION TO REAPPOINT A YORK COUNTY REPRESENTA-  
TIVE TO THE MIDDLE PENINSULA JUVENILE DETENTION COM-  
MISSION

BE IT RESOLVED by the York County Board of Supervisors this 18th day of June, 2002, that Anne B. Smith be, and she is hereby, reappointed as a York County representative on the Middle Peninsula Juvenile Detention Commission for a term of four years, such term to begin July 2, 2002 and end June 30, 2006.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Burgett, Wiggins  
Nay: (0)

APPOINTMENTS TO THE YORK - POQUOSON SOCIAL SERVICES BOARD

Mr. Burgett moved the adoption of proposed Resolution R02-132 which reads:

A RESOLUTION TO APPOINT TWO YORK COUNTY REPRESENTA-  
TIVES TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

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WHEREAS, James O. McReynolds and Anne B. Smith have submitted their resignations from membership on the York-Poquoson Social Services Board; and

WHEREAS, Mr. McReynolds term does not expire until December 31, 2003; and

WHEREAS, Mrs. Smith's term does not expire until December 31, 2004;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18<sup>th</sup> day of June, 2002, that the following individuals be, and they are hereby, appointed to the York-Poquoson Social Services Board to fill the unexpired terms of James O. McReynolds and Anne B. Smith:

	<u>Term Expiration</u>
Marycarol White	December 31, 2003
Belinda H. Willis	December 31, 2004

On roll call the vote was:

Yea:	(5)	Zaremba, Noll, Burgett, Shepperd, Wiggins
Nay	(0)	

APPOINTMENT TO THE YORK COUNTY WETLANDS BOARD

Mr. Zaremba moved the adoption of proposed Resolution R02-122 which reads:

A RESOLUTION TO REAPPOINT A MEMBER OF THE YORK  
COUNTY WETLANDS BOARD

WHEREAS, the term of Adam A. Frisch on the York County Wetlands Board expires on June 30, 2002; and

WHEREAS, Adam A. Frisch has indicated he wishes to be reappointed to the York County Wetlands Board;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18<sup>th</sup> day of June, 2002, that Adam A. Frisch, be and he is hereby, reappointed to the York County Wetlands Board for a term of five years beginning on July 1, 2002, and expiring on June 30, 2007.

On roll call the vote was:

Yea:	(5)	Noll, Burgett, Shepperd, Zaremba, Wiggins
Nay	(0)	

Meeting Adjourned. At 9:33 p.m. Chairman Wiggins declared the meeting adjourned to 6:00 p.m., Tuesday, June 25, 2002, in the East Room, York Hall, for the purpose of conducting a work session.

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James O. McReynolds, Clerk  
York County Board of Supervisors

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Donald E. Wiggins, Chairman  
York County Board of Supervisors